

On January 17, 2008, this Court dismissed this § 1983 action for plaintiff's failure to adhere to Rules 8 and 10 of the Federal Rules of Civil Procedure and for his failure to amend his complaint in accordance with this Court's November 20, 2007 Order. In dismissing this action, the Court noted plaintiff's blatant disregard for the Court's direction to file his amended complaint on a court-provided form, as well as his inability to state his claims in short and plain statements, despite having several chances to amend his complaint. Irrespective of his previous decisions not to comply with this Court's Order and the Federal Rules of Civil Procedure, plaintiff seeks reconsideration of the dismissal and a third chance to amend his complaint.

As grounds for both of the instant motions, plaintiff asserts that he will be prejudiced by a dismissal of his claims because any attempt to refile the claims would be outside the statute of limitations. Because plaintiff's claims appear to stem from purported violations of his constitutional rights which he believes occurred on or about August 28, 2005, the Court finds that plaintiff will not be so prejudiced. See Mo.Rev.Stat. § 516.120(4); Wilson v. Garcia, 471 U.S. 261, 276 (1985); Farmer v. Cook, 782 F.2d 780 (8th Cir. 1986). As plaintiff has not provided any salient grounds for reconsideration of this Court's earlier order or shown that he would be able to comply with the Federal Rules of Civil Procedure in drafting yet a third amended complaint, plaintiff's motions will be denied.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motions for reconsideration [Doc. #27] and for leave to amend [Doc. #26] are **DENIED**.

Dated this 29th Day of January, 2008.

/s/ Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE